

**IOWA BOARD OF MEDICINE
REGULARLY SCHEDULED MEETING: August 7-8, 2014**

A G E N D A^{1, 2, 3, 4, 5}

BOARD MEMBERS: Hamed Tewfik, M.D., Chairperson; Michael Thompson, D.O., Vice Chairperson; Allison Schoenfelder, M.D., Secretary; Frank Bognanno; Julie Carmody, M.D.; Ronald Cheney, D.O.; Diane Clark; Diane Cortese; Julie Perkins, M.D.

THURSDAY, AUGUST 7, 2014

7:30 a.m. **EXECUTIVE COMMITTEE** – Medical Conference Room B
Chair Tewfik, Bognanno, Clark, Schoenfelder, Thompson

8:00 a.m. **SCREENING COMMITTEE** – Board Room
Chair Perkins, Carmody, Cheney, Cortese

OPEN SESSION - Board Room
Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

CLOSED SESSION¹ - Board Room
Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

9:00 a.m. **OPEN SESSION/PUBLIC MEETING** - Board Room
Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

A. Roll-call to establish quorum; acknowledge absent Board members

B. Opportunity for public comments⁵

C. Board Minutes for Consideration of Approval

1. June 5-6, 2014, Board meeting
2. July 10, 2014, teleconference
3. July 10, 2014, teleconference

D. Chair's Report

E. Executive Director's Report

F. Administrative Rules

1. **Proposed Notice of Intended Action:** Amendments to 653 IAC Chapter 13, "Standards of Practice and Principles of Medical Ethics," to establish standards of practice for physicians who use a real-time interactive telecommunication system to diagnose and treat patients.
2. **Proposed Notice of Intended Action:** Establish 653 IAC Chapter 18, "Military Service and Veteran Reciprocity," to engage the Governor's Home Base Iowa Act initiative for licensure (medical and acupuncture) of military veterans, allowing credit for military training and experience in the licensure process, issuance of a provisional license, and licensure by reciprocity/expedited endorsement.
3. **Discussion:** Iowa Board of Physician Assistants' possible rule-making to rescind subrule that requires a physician to regularly visit their PAs who work in remote clinics.
4. **For Information Only:** FY2015 regulatory plan

G. 2015 Legislative Agenda

1. Acupuncture licensure
2. Administrative medical license
3. Civil penalties
4. Interstate medical licensure compact
5. Relinquish inactive medical license
6. Use of Administrative Law Judge to hear certain cases
7. Use of PMP database

H. Petition for Waiver

1. Mercy Medical Center, Cedar Rapids, seeks variance in physician-pharmacist collaborative practice agreement.

I. Judicial Review, Legal Update & Training

1. **IAC 653 13.10** – Standards of practice for physicians who perform medical abortions. Oral argument was June 16. Awaiting decision.
2. **Amjad Butt, M.D.** – Two cases awaiting review in District Court. Both cases have been argued and submitted. Awaiting decision.
3. **Mark Collison, M.D.** – Awaiting decision on respondent's application for further review by Supreme Court.
4. **Donna DeLouis, D.O.** – Briefing with Appeals Court.
5. **Richard Fleming, M.D.** – District court affirmed the Board's decision. He has appealed to the Supreme Court.
6. **Wendy Smoker, M.D.** – The District Court dismissed her claim for expenses, finding that Dr. Smoker should have raised this in the first appeal of her disciplinary case and should have asked for a stay.

7. **TRAINING: What happens after the decision and order is issued in a disciplinary case?**

J. Iowa Physician Health Committee/Program

1. YTD statistics
2. Board-Committee joint lunch on September 12, 2014

K. Reports & Articles

1. *Missouri law creates new assistant physician designation*, Medscape Medical News, July 2014.
2. *The doctor will see you now. So will the scribe*, St. Paul Pioneer Press, May 2014.
3. *When doctors need advice, it might not come from a fellow human*, Kaiser Daily Health Policy Report, June 2014.
4. *Why hospitals turn a blind eye to misbehaving docs*, fiercehealthcare.com, April 2014.
5. *Institute of Medicine calls for overhaul of medical education funding*, July 2014

11:00 a.m.

Federation of State Medical Boards Presentation

12:00 p.m.

Lunch with the Federation of State Medical Boards representatives

2:00 p.m.

MONITORING COMMITTEE – Board Room

Chair Thompson, Bognanno, Cheney, Perkins, Tewfik

2:00 p.m.

LICENSURE COMMITTEE - Medical Conference Room B

Chair Schoenfelder, Carmody, Clark, Cortese

OPEN SESSION - Board Room

Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

A. Licensure Committee Report

CLOSED SESSION¹ - Board Room

Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

OPEN SESSION - Board Room

Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

A. Vote on Closed Session Cases

FRIDAY, AUGUST 8, 2014

8:00 a.m.

OPEN SESSION - Board Room

Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

CLOSED SESSION¹ - Board Room

Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

LUNCH BREAK

CLOSED SESSION¹ - Board Room

Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

OPEN SESSION - Board Room

Chair Tewfik, Bognanno, Carmody, Cheney, Clark, Cortese, Perkins, Schoenfelder, Thompson

A. Unlicensed Practice of Medicine Cases

1. Amy D. Putney

B. Vote on Closed Session Cases

C. Vote on Minutes

1. June 5-6, 2014, Board meeting
2. July 10, 2014, teleconference
3. July 10, 2014, teleconference

ADJOURN

If there is no further business to conduct, the chairperson will declare the meeting adjourned.

(1) The confidential matters listed on the agenda may concern medical records on the condition, diagnosis, care or treatment of a patient or investigation reports and other investigative information which are privileged and confidential under the provisions of Sections 22.7(2) and 272C.6(4), of the 2012 Code of Iowa. These matters constitute a sufficient basis for the Board to consider a closed session under the provisions of Section 21.5(1)(a), (d), (f) and (g) of the 2012 Code of Iowa. These sections provide that a governmental body may hold a closed session only by affirmative public vote of either two-thirds of the members of the body if all present, or all of the members present if not all members are present at the meeting to review or discuss records which are required or authorized by state or federal law to be kept confidential, to discuss whether to initiate licensee disciplinary investigations or proceedings and to discuss the decision to be rendered in a contested case conducted according to the provisions of Chapter 17A.

(2) Hearings may be closed at the discretion of the licensee, according to Section 272C.6(1) of the Code of Iowa 2012.

(3) Public agenda materials are available via e-mail. Public sessions are recorded and available via CD upon request. Contact natalie.sipes@iowa.gov

(4) The Iowa Board of Medicine may address agenda items out of sequence to accommodate persons appearing before the Board or to aid in the efficiency or effectiveness of the meeting.

(5) At this time, members of the audience may address the Board for a period not to exceed 5 minutes. The Board reserves the right to reduce this time based on the number wishing to speak. If a member of the public wishes to address the Board with the intention of getting a Board decision at the meeting, the individual should request permission to be on the Board agenda. Written requests are due in the Board office at least 14 days in advance of the meeting.

The next scheduled Board meeting is Thursday and Friday, October 2-3, 2014, at 400 SW Eighth Street, Suite C, Des Moines, Iowa 50309.

If you require the assistance of auxiliary aids or services to participate in/or attend the meeting because of a disability, please call our ADA Coordinator at (515) 281-5604. If you are hearing impaired, call Relay IA TTY at 1-800-735-2942.